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SUBJECT: GROUP TO BRING US-STYLE ALTERNATIVE DISPUTE
RESOLUTION TO NIGERIA

¶1. (SBU) Summary: In an early November meeting with the Consul General, U.S. experts in alternative dispute resolution (ADR) outlined their plans to launch a new program in ADR and conflict resolution (CR) in partnership with Nigerian Law School and the Negotiation Conflict Management Group. Efforts to promote ADR have the potential to counter Nigeria's current climate of "winner take all" politics and to enhance the rule of law as well as sanctity of contracts and political tolerance. End summary.

U.S. ADR Experts Outline Their Plan

¶2. (U) In an early November meeting with the Consul General (CG), U.S. experts in alternative dispute resolution (ADR) outlined their plans to launch a program of ADR and conflict resolution (CR) in Nigeria. The experts included: Judge Alexander Williams III of the Superior Court of Los Angeles; Peter Robinson, Managing Director of the Institute of Dispute Resolution at the Pepperdine School of Law; Mahmoud Salhi, Assistant Professor of Law at California State-Dominguez Hills; and David Hosmer, Mediator.

¶3. (U) Robinson told the Consul General that Pepperdine University's ADR program is developing an international focus, with emphasis on Nigeria. The program will concentrate on training mediators and delivering ADR/CR services in Nigeria. Robinson said he was impressed with the ADR/CR Nigeria already has in place, and planned to visit additional programs during their trip.

Conflict Management Group May Be Nigerian Partner

¶4. (SBU) Group members told the CG they find impressive the efforts and motivation of the Negotiation Conflict Management Group's (NCMG) founder, Kehinde Aina, and of retired Supreme Court Justice Kayode Eso, Chairman of the NCMG. Judge Williams also found the NCMG board distinguished and capable, and the overall quality of the lawyers strong. The group noted the NCMG has already established a 5000 square foot building in Lagos devoted to the advancement of ADR/CR.

Pepperdine-Nigerian Law School LLM Contemplated

¶5. (U) The group wants to ensure that Nigerian lawyers are trained in ADR. Judge Williams feels that going through Nigeria's law school, the Nigerian Law School in Lagos, to establish a program with the American Bar Association (ABA)

and Pepperdine School of Law, would promote use of ADR in Nigeria.

¶6. (U) During the first year of the program, Robinson wants to hold four 2-week ADR classes in Lagos. However, costs are high, and the program must be self-supporting, Robinson noted. The group will explore ways to partner with Nigerian and U.S. businesses, and may approach the Nigerian government as well.

Problem-Solving Through Compromise

¶7. (SBU) Judge Williams expressed concern that he had been asked to give a lecture to Nigerian judges entitled "ADR on the Bench, Promise or Threat?" Williams said ADR is a tool to enhance judges' ability to resolve cases, not a threat. The Consul General told the group the title reflects the view that politics and law must be a zero-sum game. ADR, built on compromise, provides a different framework for problem-solving in Nigeria, he said. The current political situation has evolved because enough actors do not realize it is counterproductive to view everything through such a conflictual prism, the CG told the group.

¶8. (SBU) Responding to a question from our guests about the role of lawyers in promoting social change and justice in Nigeria, the CG stated that, in the past, some attorneys have been mercenary, lending themselves and their talents to create legal arguments in support of extant military regimes. However, those attorneys have been counterbalanced by some very distinguished lawyers who have been at the forefront of democratization in Nigeria. Most of Nigeria's well-known human rights organizations were founded by lawyers and these

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lawyers are among the most respected members of Nigerian society, the CG noted. Thus, plans to focus on ADR and the legal profession as a vehicle for a wider social change fit in with this aspect of Nigeria's legal profession's history.

¶9. (SBU) Comment: Post sees efforts to promote ADR as a way to link American and Nigerian professionals and institutions of higher learning in a quest to bring greater respect for the rule of law, enhance conflict resolution in Nigeria and promote the sanctity of contracts. End comment.

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